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Attorney Docket No. 8285/455

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Karen J. Pelletier et al.

Serial No.: 09/966,574

Filed: Sept. 26, 2001

For: METHOD, SYSTEM AND
ARTICLES FOR PROVIDING
FAMILY
TELECOMMUNICATION
SERVICE

Examiner: Creighton H. Smith

Group Art Unit: 2645

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Office Action mailed October 21, 2004, Applicants respectfully appeal the final rejection entered by the examiner and provide this Appeal Brief in support thereof. The fee required under 37 CFR §§ 41.20(b)(2) and 41.37(a)(2) is included herewith.

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I. Real Party in Interest

SBC Properties, L.P. is the real party in interest.

II. Related Appeals and Interferences

None.

III. Status of Claims

Claims 1-16 have been previously canceled.

Claims 17-47 are pending, stand rejected, and are the subject of this appeal.

IV. Status of Amendments

Applicants have not filed any amendments subsequent to the final rejection.

V. Summary of Claimed Subject Matter

Personal toll-free number services are currently available to allow a calling party to place a toll-free call to a home of a subscriber. The toll-free number service allows the subscriber receiving the telephone call to be charged a monthly or per-minute usage fee as opposed to the party making the call. Existing personal toll-free number services are directed to one telephone number, typically the home telephone number of a subscriber. Applicants have invented different methods and systems for providing a single toll-free number service that allows a calling party to place a telephone call to a single toll-free number and connect their telephone call to one of a plurality of family members located at different premises.

Independent claim 17 is directed to a method that allows a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the purpose of speaking to different family members. Specifically, claim 17 recites a server in a telephone network providing a menu within a first telephone call that provides a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family. A second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family. A third destination option allows the caller to route the telephone call to a third family member at a second location other than the family residence. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

The server receives a selection for one of the destination options and initiates a second telephone call to a telephone number corresponding to the selection of the caller. (See figures 2 and 3; page 11, lines 20-25). The server then connects the first telephone call of the caller to the second telephone call connected to the telephone number corresponding to the selection of the caller. (See figures 2 and 3; page 12, lines 1-4; page 15, lines 4-8).

Independent claim 22 is directed to an apparatus that allows a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the purpose of speaking to different family members. Specifically, claim 22 recites a server in a telephone network that provides a menu within a first telephone call that provides a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family. A second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family. A third destination option allows the caller to route the telephone call to a third family member at a second location other than the family residence. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

The server receives a selection for one of the destination options and initiates a second telephone call to a telephone number corresponding to the selection of the caller. (See figures 2 and 3; page 11, lines 20-25). The server then connects the first telephone call of the caller to the second telephone call connected to the telephone number corresponding to the selection of the caller. (See figures 2 and 3; page 12, lines 1-4; page 15, lines 4-8).

Independent claim 27 is directed to a computer-readable medium whose contents direct a server in a telephone network to provide a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10; page 16, line 12 – page 17, line 4). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family. A second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family. A third destination option allows the caller to route the telephone call to a

third family member at a second location other than the family residence. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

The contents of the computer-readable medium further direct the server to receive a selection for one of the destination options and initiate a second telephone call to a telephone number corresponding to the selection of the caller. (See figures 2 and 3; page 11, lines 20-25). The contents of the computer-readable medium then direct the server to connect the first telephone call to the second telephone call connected to the telephone number corresponding to the selection of the caller. (See figures 2 and 3; page 12, lines 1-4; page 15, lines 4-8).

Independent claim 32 is directed to a method that allows a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the purpose of speaking to different family members. If a telephone call to a telephone number corresponding to a first selection of the caller is unanswered, the caller may have their telephone call routed to a second selection.

Specifically, claim 32 recites a server in a telephone network providing a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family. A second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family. A third destination option allows the caller to route the telephone call to a third family member at a second location other than the family residence. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

The server receives a first selection of one of the destination options from the caller and initiates a second telephone call to a telephone number corresponding to the first selection. (See figures 2 and 3; page 11, lines 20-25). The server determines that the second telephone call is unanswered and receives a second selection of one of the destination options from the caller. The server initiates a third telephone call to a telephone number corresponding to the second selection and connects the first telephone call to the third telephone call connected to the telephone number corresponding to the second selection of the caller. (See figures 2 and 3; page 14, line 26 – page 15, line 8).

Independent claim 33 is directed to an apparatus that allows a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the purpose of speaking to different family members. If a telephone call to a telephone number corresponding to a first selection of the caller is unanswered, the caller may have their telephone call routed to a second selection.

Specifically, claim 33 recites a server in a telephone network that provides a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family. A second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family. A third destination option allows the caller to route the telephone call to a third family member at a second location other than the family residence. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

The server is operative to receive a first selection of one of the destination options from the caller and initiate a second telephone call to a telephone number corresponding to the first selection. (See figures 2 and 3; page 11, lines 20-25). The server is further operative to determine that the second telephone call is unanswered and receive a second selection of one of the destination options from the caller. The server is additionally operative to initiate a third telephone call to a telephone number corresponding to the second selection and connect the first telephone call to the third telephone call connected to the telephone number corresponding to the second selection of the caller. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

Independent claim 34 is directed to a computer-readable medium whose contents direct a server in a telephone network to provide a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10; page 16, line 12 – page 17, line 4). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family. A second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family. A third destination option allows the caller to route the telephone call to a

third family member at a second location other than the family residence. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

The contents of the computer-readable medium direct the server to receive a first selection of one of the destination options from the caller and initiate a second telephone call to a telephone number corresponding to the first selection. (See figures 2 and 3; page 11, lines 20-25). The contents of the computer-readable medium further direct the server to determine that the second telephone call is unanswered and receive a second selection of one of the destination options from the caller. The contents of the computer-readable medium then further direct the server to initiate a third telephone call to a telephone number corresponding to the second selection and connect the first telephone call to the third telephone call connected to the telephone number corresponding to the second selection of the caller. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11).

Independent claim 35 is directed to a method that allows a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the purpose of speaking to different family members. The menu additionally provides a broadcast option. If the broadcast option is selected, simultaneous telephone calls are initiated to the telephone numbers associated with the destination options of the menu. When one of the simultaneous telephone calls is answered, the caller is routed to the destination option that has answered.

Specifically, claim 35 recites providing a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family, a second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family, and a broadcast option allows a caller to initiate simultaneous calls to the first and second destination options and route their telephone call to the first destination that answers the call. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11; page 10, lines 13-17).

The server receives a selection of the broadcast option from the caller and initiates simultaneous telephone calls to a telephone number associated with the first destination option and a telephone number associated with the second destination

option. (See figures 2 and 3; page 14, lines 13-17). The server determines that either the telephone call to the first destination option or the telephone call to the second destination is answered and routes the first telephone call of the caller to the first destination option or second destination option that answers the simultaneous call. (See figures 2 and 3; page 15, lines 9-13).

Independent claim 36 is directed to an apparatus that allows a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the purpose of speaking to different family. The menu additionally provides a broadcast option. If the broadcast option is selected, simultaneous telephone calls are initiated to the telephone numbers associated with the destination options of the menu. When one of the simultaneous telephone calls is answered, the caller is routed to the destination option that has answered.

Specifically, claim 36 recites a server that provides a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family, a second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family, and a broadcast option allows a caller to initiate simultaneous calls to the first and second destination options and route their telephone call to the first destination that answers the call. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11; page 10, lines 13-17).

The server receives a selection of the broadcast option from the caller and initiates simultaneous telephone calls to a telephone number associated with the first destination option and a telephone number associated with the second destination option. (See figures 2 and 3; page 14, lines 13-17). The server determines that either the telephone call to the first destination option or the telephone call to the second destination is answered and routes the first telephone call of the caller to the first destination option or second destination option that answers the simultaneous call. (See figures 2 and 3; page 15, lines 9-13).

Independent claim 37 is directed to a computer-readable medium whose contents direct a server to allow a user to call a single number in order to obtain a menu allowing the caller to choose to have their call routed to different locations for the

purpose of speaking to different family members. The menu additionally provides a broadcast option. If the broadcast option is selected, simultaneous telephone calls are initiated to the telephone numbers associated with the destination options of the menu. When one of the simultaneous telephone calls is answered, the caller is routed to the destination option that has answered.

Specifically, claim 36 recites a computer-readable medium whose contents direct a server to provide a menu within a first telephone call to a caller providing a plurality of destination options. (See figures 2 and 3; page 4, lines 2-4; page 6, lines 7-10; page 16, line 12 – page 17, line 4). A first destination option allows a caller to route the telephone call to a first family member at a residence of the family, a second destination option allows the caller to route the telephone call to a second family member at a first location other than the residence of the family, and a broadcast option allows a caller to initiate simultaneous calls to the first and second destination options and route their telephone call to the first destination that answers the call. (See figures 2 and 3; page 8, lines 20-29; page 9, lines 8-11; page 10, lines 13-17).

The contents of the computer-readable medium further direct the server to receive a selection of the broadcast option from the caller and initiate simultaneous telephone calls to a telephone number associated with the first destination option and a telephone number associated with the second destination option. (See figures 2 and 3; page 14, lines 13-17). The contents of the computer-readable medium further direct the server to determine that either the telephone call to the first destination option or the telephone call to the second destination is answered and route the first telephone call of the caller to the first destination option or second destination option that answers the simultaneous call. (See figures 2 and 3; page 15, lines 9-13).

VI. Grounds of Rejections to Be Reviewed on Appeal

1. Claims 17-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,768,356 ("McKendry").

VII. Argument

A. Rejection of Claims 17-34 under 35 U.S.C. § 103(a) as Being Unpatentable over McKendry

Independent claims 17, 22, 27, and 32-34 recite a method, apparatus, or computer-readable medium for providing a telecommunications service in which a server in a telephone network provides a menu in a first telephone call providing a plurality of destination options including a first destination option **to reach a first family member** at a residence of a family, a second destination option **to reach a second family member** at a first location other than the residence, and a third destination option **to reach a third family member** at a second location other than the residence. Thus, the currently-claimed invention allows a caller to route a telephone call initially placed to a single telephone number to one of multiple family members for the purpose of speaking with that particular family member. McKendry fails to disclose, or suggest, providing a menu to a caller wherein each option in the menu allows the caller to route their telephone call to a different location for the purpose of speaking with more than one person. Moreover, McKendry fails to disclose, or suggest, providing a call manager in the context of a family rather than a business.

McKendry discloses a personal call manager located on a premises of a home office user to provide increased accessibility to a single intended recipient. Generally, a caller places a telephone call to a main number **for the purpose of speaking to a single intended recipient**. In the relevant portion of McKendry, the call manager answers the telephone call and may provide a menu to the caller that provides options to route the telephone call to different locations associated with the intended recipient **for the purpose of speaking with the single intended recipient only**. For example, the menu may state, “to call me on my car phone press one, to call me at my remote office press two, to leave a voice message press three.” (Col 30, lines 16-18). After the caller chooses a menu option in order to reach the one intended recipient, the call may be routed to the desired extension located on or off the premises of the home office.

Nothing in McKendry discloses, or suggests, providing a menu to a caller wherein each option in the menu allows the caller to route their telephone call to a different location for the purpose of speaking with more than one person, as in the independent claims. Moreover, nothing in McKendry discloses, or suggests, providing a

call manager in the context of a family rather than a business. In the Office Action dated Oct. 21, 2004, the Examiner argued that changing the destination options in McKendry from a plurality of destination options to reach a single intended recipient to a plurality of destination options to reach one of a plurality of intended recipients of a family is an obvious design choice. Obviousness can only be established by modifying the teaching of prior art to produce a claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the reference itself or in the knowledge generally available to one of ordinary skill in the art. (See MPEP § 2143.01). The Examiner has cited no support in McKendry for modifying the call manager from a plurality of destination options to reach a single intended recipient to a plurality of destination options to reach one of a plurality of intended recipient of a family. Nor has the Examiner cited any motivation for modifying McKendry in this manner.

In summary, due to the fact McKendry fails to disclose or suggest at least the limitation of providing a menu that provides a plurality of destination options to route a telephone call to one of multiple family members for the purpose of speaking with that particular family member, applicants submit that McKendry does not render independent claims 17, 22, 27, and 32-34, or any of their dependent claims, unpatentable. Accordingly, Applicants respectfully request that the rejection to claims 17 - 34 be removed.

B. Non-Rejected Claims

1. Rejection of Claims 35-37 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement

In the Office Action dated March 8, 2004, independent claims 35-37 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In the Amendment dated Aug. 6, 2004, Applicants explained that claims 35-37 are at least supported in the specification of the current application on page 4, lines 24-29 and on page 6, line 7-10. The Examiner failed to address Applicants' explanation in the Final Office Action dated October 21, 2004, but the Examiner indicated in the Office Action Summary that claims 35-37 were rejected. Due to the fact that the Examiner did not address Applicants' explanation regarding claims 35-37 from the Amendment dated Aug. 6, 2004, Applicants assume that the rejection to claims 35-37 was withdrawn, that the Office Action Summary contains an inadvertent typographical error indicating claims 35-37 were rejected, and that the Office Action Summary should have indicated that claims 35-37 were allowed. Accordingly, Applicants respectfully submit that independent claims 35-37 are in condition for allowance.

However, if the rejection to claims 35-37 has not been withdrawn, Applicants respectfully request that the rejection to independent claims 35-37 be removed. In the Office Action dated March 8, 2004, the Examiner stated that the language within independent claims 35-37 of "wherein the first telephone call is placed to a third telephone number not corresponding to any of the plurality of destination options" was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In the Amendment dated Aug. 6, 2004, Applicants explained that the above-quoted language of claims 35-37 is at least supported in the specification of the current application on page 4, lines 24-29 and on page 6, lines 7-10. The specification discusses providing a telephone number to access the family telecommunications service. This telephone number may not correspond to a telephone number that directly connects to a family residence or a first or second location other than the family residences that correspond to the plurality of destination options. For example, the specification discloses providing a toll-free telephone number to access the family

telecommunications service which provides the menu with a plurality of destination options. This toll-free number does not correspond to any of the destination options (e.g., a family residence or a first or second location other than the family residence).

In summary, Applicants assume that the rejection to independent claims 35-37 from the Office Action dated March 8, 2004 was withdrawn and respectfully submit that independent claims 35-37 are in condition for allowance. However, if the rejection to claims 35-37 has not been withdrawn, Applicants respectfully request that the rejection to independent claims 35-37 be removed due to the fact claims 35-37 are at least supported in the specification of the current application on page 4, lines 24-29 and on page 6, lines 7-10.

2. Claims 38-47

Although the Office Action Summary stated that claims 17-47 were rejected, the Office Action of Oct. 21, 2004 itself does not contain any rejections of claims 38-47. Accordingly, Applicants are assuming that the Office Action Summary contains an inadvertent typographical error and that claims 38-47 should have been indicated as being objected to. Applicants note that McKendry does not teach the elements of claim 38 or claims 39-47.

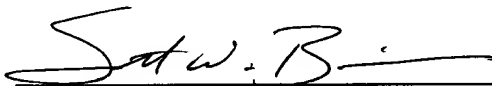
Additionally, as explained above with respect to independent claims 17, 22, 27, and 32-34 from which claims 38-44 depend, McKendry discloses a personal call manager located on a premise of a home office user to provide increased accessibility **to a single intended recipient**. Critically, the personal call manager of McKendry routes telephone calls to different locations associated with the intended recipient **for the purpose of speaking with the single intended recipient only**. McKendry does not disclose or suggest modifying the personal call manager to route a telephone call to more than one person. Moreover, McKendry does not disclose or suggest limiting the designated destination numbers of a call forwarding menu being presented to a caller to members of a family as described in the specification and claimed in dependent claims 39-47. Due to the fact McKendry does not render independent claims 17, 22, 27, and 32-34 unpatentable, McKendry also does not render any claims that depend on claims 17, 22, 27, and 32-34 unpatentable.

VIII. Conclusion

For the reasons set forth above, Applicants respectfully submit that all of the pending claims are patentable over the applied references. Accordingly, Applicants respectfully request removal of the pending rejections.

Dated: **June 15, 2005**

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Scott W. Brim", written over a horizontal line.

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IX. Claims Appendix

17. A method of providing a telecommunication service, the method comprising:
with a server in a telephone network, providing a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a third destination option to reach a third family member at a second location other than the residence;

receiving a first selection of one of the destination options in the first telephone call;

initiating a second telephone call to a telephone number corresponding to the first selection; and

connecting the first telephone call and the second telephone call.

18. The method of claim 17 wherein the plurality of destination options further includes a fourth destination option to reach the second family member at a third location other than the residence, the first location, and the second location.

19. The method of claim 17 wherein the second destination option is for a mobile telephone.

20. The method of claim 17 further comprising:

after connecting the first telephone call and the second telephone call, receiving an input from the calling party in the first telephone call; and after receiving the input:

disconnecting the first telephone call from the second telephone call;

receiving a second selection of one of the destination options in the first telephone call; and

initiating a third telephone call to a telephone number corresponding to the second selection.

21. The method of claim 20 further comprising:

connecting the third telephone call and the first telephone call.

22. An apparatus comprising:

a server in a telephone network to provide a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a third destination option to reach a third family member at a second location other than the residence;

the server to receive a first selection of one of the destination options in the first telephone call, to initiate a second telephone call to a telephone number corresponding to the first selection, and to connect the first telephone call and the second telephone call.

23. The apparatus of claim 22 wherein the plurality of destination options further includes a fourth destination option to reach the second family member at a third location other than the residence, the first location, and the second location.

24. The apparatus of claim 22 wherein the second destination option is for a mobile telephone.

25. The apparatus of claim 22 wherein the server, after connecting the first telephone call and the second telephone call, is to receive an input from the calling party in the first telephone call, and after receiving the input, the server is to disconnect the first telephone call from the second telephone call, to receive a second selection of one of the destination options in the first telephone call, and to initiate a third telephone call to a telephone number corresponding to the second selection.

26. The apparatus of claim 25 wherein the server is to connect the third telephone call and the first telephone call.

27. A computer-readable medium whose contents cause a server in a telephone network to provide a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at ~~for~~ a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a third destination option to reach a third family member at a second location other than the residence, the contents causing the server to initiate a second telephone call to a telephone number

corresponding to a received selection of one of the destination options in the first telephone call, and to connect the first telephone call and the second telephone call.

28. The computer readable medium of claim 27 wherein the plurality of destination options further includes a fourth destination option to reach the second family member at a third location other than the residence, the first location, and the second location.

29. The computer readable medium of claim 27 wherein the second destination option is for a mobile telephone.

30. The computer readable medium of claim 27 wherein the contents further cause the server, after connecting the first telephone call and the second telephone call, to receive an input from the calling party in the first telephone call, and after receiving the input, to disconnect the first telephone call from the second telephone call, to receive a second selection of one of the destination options in the first telephone call, and to initiate a third telephone call to a telephone number corresponding to the second selection.

31. The computer readable medium of claim 30 wherein the contents further cause the server to connect the third telephone call and the first telephone call.

32. A method of providing a telecommunication service, the method comprising:
with a server in a telephone network, providing a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a third destination option to reach a third family member at a second location other than the residence; and

receiving a first selection of one of the destination options in the first telephone call; initiating a second telephone call to a first telephone number corresponding to the first selection; determining that the second telephone call is unanswered; receiving a second selection of one of the destination options in the first telephone call; initiating a third telephone call to a second telephone number corresponding to the second selection; and connecting the first telephone call and the third telephone call.

33. An apparatus comprising:

a server in a telephone network to provide a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a third destination option to reach a third family member at a second location other than the residence;

the server to receive a first selection of one of the destination options in the first telephone call, to initiate a second telephone call to a first telephone number corresponding to the first selection, to determine that the second telephone call is unanswered, to receive a second selection of one of the destination options in the first telephone call, to initiate a third telephone call to a second telephone number corresponding to the second selection, and to connect the first telephone call and the third telephone call.

34. A computer readable medium whose contents cause a server in a telephone network to provide a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at ~~for~~ a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a third destination option to reach a third family member at a second location other than the residence;

the contents causing the server to receive a first selection of one of the destination options in the first telephone call, to initiate a second telephone call to a first telephone number corresponding to the first selection, to determine that the second telephone call is unanswered, to receive a second selection of one of the destination options in the first telephone call, to initiate a third telephone call to a second telephone number corresponding to the second selection, and to connect the first telephone call and the third telephone call.

35. A method of providing a telecommunication service, the method comprising:

providing a menu in a first telephone call, the menu providing plurality of destination options including a first destination option to reach a first family member at a

residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a broadcast option;

receiving a selection of the broadcast option in the first telephone call;

substantially simultaneously initiating a second telephone call to a first telephone number corresponding to the first destination option and a third telephone call to a second telephone number corresponding to the second destination option;

determining that one of the second telephone call and the third telephone call is answered; and

connecting the first telephone call and the one of the second telephone call and the third telephone call,

wherein the first telephone call is placed to a third telephone number not corresponding to any of the plurality of destination options.

36. An apparatus comprising:

a server to provide a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a broadcast option;

the server responsive to a selection of the broadcast option in the first telephone call to substantially simultaneously initiate a second telephone call to a first telephone number corresponding to the first destination option and a third telephone call to a second telephone number corresponding to the second destination option, to determine that one of the second telephone call and the third telephone call is answered, and to connect the first telephone call and the one of the second telephone call and the third telephone call, wherein the first telephone call is placed to a third telephone number not corresponding to any of the plurality of destination options.

37. A computer readable medium whose contents cause a server to provide a menu in a first telephone call, the menu providing a plurality of destination options including a first destination option to reach a first family member at a residence of a family, a second destination option to reach a second family member at a first location other than the residence, and a broadcast option;

the contents causing the server, in response to receiving a selection of the broadcast option in the first telephone call, to substantially simultaneously initiate a second telephone call to a first telephone number corresponding to the first destination option and a third telephone call to a second telephone number corresponding to the second destination option, to determine that one of the second telephone call and the third telephone call is answered, and to connect the first telephone call and the one of the second telephone call and the third telephone call, wherein the first telephone call is placed to a third telephone number not corresponding to any of the plurality of destination options.

38. The method of claim 17, wherein the first telephone call is placed to a telephone number associated solely with the menu.

39. The method of claim 17, wherein all of the plurality of destination options are for members of a family.

40. The apparatus of claim 22, wherein all of the plurality of destination options are for members of a family.

41. The computer-readable medium of claim 27 wherein all of the plurality of destination options are for members of a family.

42. The method of claim 32, wherein all of the plurality of destination options are for members of a family.

43. The apparatus of claim 33, wherein all of the plurality of destination options are for members of a family.

44. The computer readable medium of claim 34, wherein all of the plurality of destination options are for members of a family.

45. The method of claim 35, wherein all of the plurality of destination options are for members of a family.

46. The apparatus of claim 36, wherein all of the plurality of destination options are for members of a family.

47. The computer readable medium of claim 37, wherein all of the plurality of destination options are for members of a family.

X. Evidence Appendix

None.

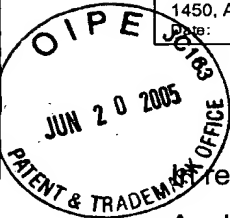
XI. Related Proceedings Appendix

None.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
 Date: June 15, 2005 Name: Scott W. Brim Signature: *Scott W. Brim*

**BRINKS
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& LIONI**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Appln. of: **Karen L. Pelletier et al.**

Appln. No.: **09/966,574**

Filed: **September 26, 2001**

For: **METHOD, SYSTEM AND ARTICLES
FOR PROVIDING FAMILY
TELECOMMUNICATION SERVICE**

Examiner: **Creighton H. Smith**

Art Unit: **2645**

Attorney Docket No: **8285/455**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (and copy)(2 pages) and Appeal Brief in Response to the Office Action Dated October 21, 2004 (22 pages)
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	0	Minus	0	0	x \$25=	0.00		x \$50=	0.00
Indep.	0	Minus	0	0	x 100=	0.00		x \$200=	0.00
First Presentation of Multiple Dep. Claim					+\$180=	0.00		+ \$360=	0.00
					Total	\$0.00		Total	\$0.00

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$500.00. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Scott W. Brim

Scott W. Brim
Registration No. 51,500

June 15, 2005